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April 10, 2023

VIA ECF

Honorable J. Paul Oetken
United States District Court Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: SEC v. Hwang et al., Dkt. No.: 1:22-cv-03402 (JPO);
CFTC v. Archegos Capital Mgmt., L.P. & Halligan Dkt. No.: 1:22-cv-03401 (JPO)

Dear Judge Oetken:

We represent Defendant Archegos Capital Management, LP (“ACM”). We write on behalf of the parties in the above-referenced matters (the SEC, CFTC, and the moving Defendants) concerning the oral argument on Defendants’ motions to dismiss the amended complaints, which is presently scheduled for May 4, 2023 at 11:00 am.

Given the complexity of these cases and the number of parties involved, the parties wanted to reach out to the Court for any guidance the Court may have that will help them plan their arguments in ways that will be most useful and efficient for the Court. For example, in beginning to think about the oral argument, the following considerations occurred to the parties:

- How much time has the Court allocated for oral argument?
- Are there any particular issues that the Court would like the parties to focus on?
- Are there any particular issues that the Court believes are sufficiently addressed in the parties’ briefs, and need not be addressed at oral argument?
- Is there any particular order in which the Court would like the Defendants to present their arguments?
- Does the Court prefer that the parties argue one issue at a time, going back and forth on each issue, or have each party present their argument on all of the issues, followed by a response from the opposing party on all of the issues?

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If convenient for the Court, the parties can make themselves available for a short conference to address these topics and any other matters that would assist the Court in preparation for the oral argument.

We appreciate the Court's consideration of this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "E. Hirsch", written in a cursive style.

Eric A. Hirsch
Counsel